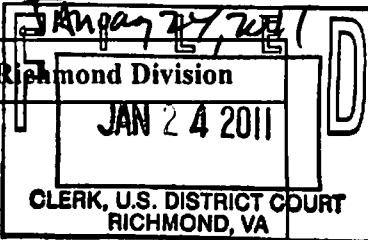


**CIVIL JURY TRIAL  
MINUTE SHEET**

DATE:



<b>United States District Court</b>	<b>Eastern District of Virginia - Richmond Division</b>
CASE TITLE e-Plus, Inc.  v. Lawson Software, Inc.,	CASE NO: 3:09CV00620  JUDGE: Payne  COURT REPORTER: Diane Daffron, Peppy Peterson, O CRS

MATTER COMES ON FOR: JURY TRIAL ( ☒ ) <sup>DAY 13</sup> MOTIONS BEFORE TRIAL: \_\_\_\_\_**TRIAL PROCEEDINGS:**

JURY: APPEARED, SWORN, EXAMINED ON VOIR DIRE ( ) EMPANELED, SWORN TO TRY ISSUE ( )

WITNESSES EXCLUDED ON MOTION OF: PLAINTIFF(S) ( ) DEFENDANT(S) ( ) COURT ( )

OPENING STATEMENTS MADE ( ) OPENING WAIVED ( )

PLAINTIFF(S) ADDUCED EVIDENCE ( ) RESTED ( ) MOTION ( ) \_\_\_\_\_

DEFENDANT(S) ADDUCED EVIDENCE ( ) RESTED ( ) MOTION ( ) \_\_\_\_\_

REBUTTAL EVIDENCE ADDUCED ( ) SUR-REBUTTAL EVIDENCE ADDUCED ( )

EVIDENCE CONCLUDED ( ) ARGUMENTS OF COUNSEL HEARD ( )

JURY CHARGED BY THE COURT ( ) ALTERNATE JUROR(S) DISCHARGED ( )

OBJECTIONS AND/OR EXCEPTIONS TO THE JURY CHARGE NOTED BY \* JURY OUT: \_\_\_\_\_  
DEFENDANT ( ) GOVERNMENT ( ) NONE NOTED ( ) \*\* JURY IN: \_\_\_\_\_

INQUIRIES OF THE JURY RECEIVED; ANSWERED ( ) ADDITIONAL CHARGE ( )

JURY RETURNED VERDICT IN FAVOR OF PLAINTIFF(S) ( ) MONETARY AWARD \$ \_\_\_\_\_

JURY RETURNED VERDICT IN FAVOR OF DEFENDANT(S) ( ) \_\_\_\_\_

JURY UNABLE TO AGREE ( ) MISTRIAL DECLARED ( ) JURY DISCHARGED ( )

CLERK TO ENTER JUDGMENT ON VERDICT ( ) TRIAL EXHIBITS RETURNED TO COUNSEL ( )

CASE CONTINUED UNTIL \_\_\_\_\_ AT \_\_\_\_\_ .M. FOR \_\_\_\_\_

MOTION(S) AFTER VERDICT: See page 2, attached, for further minute entry.Counsel for the Plaintiff(s): Scott L. Robertson, Esq. Michael G. Strapp, Esq. Craig T. Merritt, Esq.  
David Young, Esq. Jennifer A. Alber, Esq.Counsel for the Defendant(s): Daniel W. McDonald, Esq. William D. Schultz, Esq. Dabney J. Carr, IV, Esq.  
Kirstin L. Stoll-Debell, Esq.

SET: 9:00 a.m. BEGAN: 9:10 a.m. VOIR DIRE: ENDED: 5:55 p.m. TIME IN COURT: 6 hr 55 min.

RECESSES: (20) 1 hr.

Minute Continuation Sheet : Matter came on continuation of Jury Trial Proceedings Day 13.  
Parties with counsel. Jurors appeared; all present. The Court ordered that lunch be provided for  
the jurors. Closing arguments had. Lunch recess had. Closing arguments continued. Jurors  
charged by the Court. Jurors out to begin deliberations at 4:00 p.m. Jurors went home at 5:00  
p.m. to return tomorrow at 9:00 a.m. for further trial proceedings. Court adjourned at 5:05 p.m.

## UNITED STATES DISTRICT COURT

Eastern

DISTRICT OF

Virginia-Richmond Division

E-Plus, Inc.

## EXHIBIT AND WITNESS LIST

v.

Lawson Software, Inc.

Case Number: 3:09CV00620

PRESIDING JUDGE					PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEY
See Minute sheet					See Minute sheet	See Minute sheet
TRIAL DATE (S)					COURT REPORTER	COURTROOM DEPUTY
January 4, 2011					Diane Dafforn / Pappy Peterson	Slip Neal
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
1		1-4-11			Elaine D. Marion	
					Competitive Analysis 2006	
2					Douglas Moyer	
1				✓	Patent	
2				✓	"	
3				✓	"	
10				✓	Patent	
	61			✓	Brochure	
		1-8-11			Douglas Moyer (cont.)	
1				✓	Patent	
13				✓	Facsimile 1 BM agreement	
25				✓	Statement of Work	
					Color Coded Copy claim 3 Pg 1	
					Deposition of Douglas Moyer used to impeach	
10				✓	Patent	
	61				Brochure	
2					Robert Kinross	
38				✓	Electronic Sourcing Program	
	107			✓	? Technical Viewers	
1				✓	Patent	
					Deposition of Robert Kinross	
3					Jim Johnson	

\* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

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EXHIBIT AND WITNESS LIST – CONTINUATION

ePlus Inc. vs. Lawson Software, Inc.					CASE NO. 3:09cv00620
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
1		1-5-11		✓	Patent
4					Alfred Weaver, Ph.D
1				✓	Patent
		1-6-11			Alfred Weaver, Ph.D
1				✓	Patent
149				✓	Response to Request for Information
219				✓	1. 1. 1. Proposal 6123
131				✓	
211				✓	Procurement Handbook Guide
97				✓	Requisitions User Guide
108				✓	Purchase Order User Guide
112				✓	Inventory Users Guide
98				✓	Users guide
109				✓	Lawson S3 EDI For Supply Chain Mgt.
376				✓	VIEW
374				✓	captions
196				✓	Surgical Instrument Mgt.
211				✓	Lawson Procurement Handbook Guide
280				✓	Response to 7 to Proposal
170				✓	Carl Heithaus
105				✓	Lawson Procurement Handbook Training Partner List
104				✓	Handbook Partner Program
368				✓	Video
367				✓	Hand Copy of Video
215				✓	Response to RTP
136				✓	Rep. Self Service 8.19.0
127				✓	Lawson Software

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EXHIBIT AND WITNESS LIST - CONTINUATION

ePlus		vs. Lawson Software			CASE NO. 3:09cv00620
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
364		1-6-11		✓	video
367				✓	hard copy
		1-7-11			DIFran Weaver PhD
219				✓	Response to Request For Proposal
216				✓	Statement of Work
276				✓	Statement of Work
103				✓	Procurement Product
350				✓	video
375				✓	Hard copy 350
11				✓	Using the USPS Color White Paper
	DPL57			✓	Catalog Sears
	DPL258			✓	" Montgomery Ward
					Report Report on Infringement By Weaver
5				✓	Video of Deposition of
6				✓	Printout Web Page -
7				✓	7
8				✓	7
9				✓	Printout Web Page
15				✓	Lawson Software Procurement etc.
36				✓	email -
6				✓	Hannah Ralenz
202				✓	Catalog online Corbys
216				✓	Statement of Work
203				✓	Lawson Support Operations Handbook
<del>216</del>				<del>7</del>	<del>7</del>
5		1-11-2011		✓	Keith Lokamp
188				✓	Deposition of Keith Lokamp

Veren agreement

(6)

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## EXHIBIT AND WITNESS LIST - CONTINUATION

ePlus, Inc. vs. Lawson Software, LLC					CASE NO. 3:09CV00620
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
113		1-11-11			Design Analysis
110					Lawson EDI For Supply Chain Mgt. Training Partner List
104					Punchart Partner Program
105					1. 1. List (Punchart) Training Partner List
190					Procurement Punchart Partner Agreement
191					Services Order Form
					Deposition of Keith Lickamp used to impeach
118					Lawson Response to Request for Proposal
215					Lawson Response to Public Health etc.
149					Response - Holland Hospital
226					1. → Blount Memorial Hospital
54 L					?
54 M					?
54 N					Services Order Form
54 R					Service Sizing Estimate
516					Lawson Statements of Work
6					Videotape Depo. of Kristy Oliver
225					?
226					?
228					?
229					?
230					?
231					?
234					?
237					?
238					?
239					?

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## EXHIBIT AND WITNESS LIST - CONTINUATION

ePlus, Inc.		vs. Lawson Software, Inc.		CASE NO. 3:09cv00620	
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
518					— See list? —
7					Dale Arnold Christopherson
<del>117</del>					<del>Deposition of Arnold Christopherson used to impeach</del>
117				✓	Answer Detail etc
8				✓	Video Deposition of Manuel Matias Video
520				✓	Transcript
9					Patrick Dennis Nieneyer
470				✓	Doc for Developers
10	1-12				Kenneth G. Furber
448					— Overview + Product Description
417					— Product Information Manual
463					— AMR Research
325				✓	Arises/EPlus Settlement etc.
	400			✓	ePlus ? Pat 6,505, 172 Overview
	45				— email
463					— AMR Research
Used on Video					Deposition
150	1-12				
153				✓	
154				✓	
155				✓	
156				✓	
157				✓	
173				✓	
129				✓	
571				✓	
58	A			✓	Accept Deposition of Manuel Matias

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## EXHIBIT AND WITNESS LIST - CONTINUATION

2 plus		vs. Lawson			CASE NO. 3:09CV620
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
520	1	1-1	✓		Excerpt Depo. Kristy Olive
	1				Herbert Richard Lawson, Jr.
	2	1-13			Dale Arnold Christopher son
361				✓	Screenshot From Demo Exhibit
363				✓	Lawson "System"
					Demo. Exhibit no number
32					UNSPSC etc.
101					Purchase Order
521				✓	Importing Vendor Price Agreements
522					<del>2</del> Purchase Order Release Notes
					Price + Sales Catalog
					Base to Library (Training)
364				✓	Screenshots
	3				Hannah Reigh
	4				William Yuhasz
207					Novant Health Project
337					Lawson / Sciquest
	5				Kerth Lohkamp
	6				Michael Dan Shamos
3				✓	Patent
2				✓	Patent
	1-14				Michael Dan Shamos (re-called)
522				✓	Purchase Order Release Notes
11				✓	White paper
32				✓	UNSPSC



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## EXHIBIT AND WITNESS LIST - CONTINUATION

ePlws		vs. Lawson			CASE NO. 3:09cv00620
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
521		1-14-11			✓ Vendor Agreement Report
11					✓ White Paper
	7				✓ Pamela L. Eng
	230				✓ IBM Gen. Info. Manual
	107				✓ IBM Tech. Viewer 2
258					✓ Electronic Sourcing Pilot
					Transcript testimony
112					<del>✓ Taxation</del>
25					✓ Elec. Sourcing
	8				Video Dep. Johanna O'Loughlin
	62				✓ Service Mark Principle Register
	212				✓ SCC Form 10-K
	213				✓ SCC Form 10-K 405 3-31-94
	211				✓ Fisher Annual 1994 Report
	401				✓ - ? Depo. Transcript.
	9	1-18-11			Douglas Momyer
1					✓ Patent
10					✓ Patent
	7				✓ Patent
					Deposition re Douglas Momyer used/imposed
62					Tradebook →
61					✓ Fisher Books
4					✓ Patent history
	107				✓ Corey Kroschen Tech 2
	10				Robert Knyoss
	105				✓ Manual

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EXHIBIT AND WITNESS LIST - CONTINUATION

ePlus		vs. Lawson		CASE NO. 3:09cv620	
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
		1-18-11			Deposition of Robert Konarski used to impeach
	107				Brochure
	105				Brochure -
	402				Timeline
4					Patent
11					Charles Gannaris
	107				Brochure
230					Gen. INTD. Manual
	12				Depo. - Lauren McEnany
	11				
	125				
	126				
	133				
	139				
	140				
	141				
482					
		1-19-11			Resume → Depo. Lauren McEnany
	403				Transcript testimony -
	12				Preston Stantz
	13				Michael Shambs (re-called)
1					Patent
10					Patent
	105				General INTD. Manual
	107				Brochure
	7				Patent
	96				J-Con Manual

## EXHIBIT AND WITNESS LIST – CONTINUATION

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